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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,020	10/31/2003	Yiming Ye	SOM920030004US1	2131

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EXAMINER	
PATS, JUSTIN	

ART UNIT	PAPER NUMBER
3623	

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02/09/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/699,020	YE ET AL.	
	Examiner	Art Unit	
	JUSTIN M. PATS	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-12 and 15-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9-12, 15-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. The following is a Final office action. In response to Examiner's communication of 8/21/08, Applicant, on 11/21/08, amended claim 1. Applicant also cancelled claim 20. Claims 1–7, 9–12, 15–19 are pending in this application and have been rejected below.

Response to Amendment

2. The rejection of claims 1–7, 9–12, 15–17, and 20 under 35 U.S.C. 101 is hereby removed in light of Applicant's amendments and arguments of 11/21/08.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1–7, 9–12, 15–19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matheson (U.S. 7,184,940) in view of a public use of Microsoft Project 2002 [hereinafter Project 2002], as evidenced by Pyron, *Special Edition Using Microsoft Project 2002*, Que Publishing, August 5, 2002, pg. 1–47.

5. As per claim 1, Matheson discloses a computer-implemented method (for discussion as to well known nature of computer implementation in the art, see at least Matheson, col. 1, lines 17–21; col. 7, lines 49–59; col. 10, lines 20–23) of managing at least one collaborative process performed in accordance with a first entity and at least a second entity, the method comprising the steps of:

a computer obtaining information associated with the at least one collaborative process used to design and develop a product (col. 2, lines 39-46; A collaboration object model captures various information related to an online meeting (i.e., collaborative process); *see also* Fig. 3, Product Requirement, ProductIdea objects; Fig. 4, ProductRequirementDecision, ProductRequirement, ProductSpecification; ProductFunction, ProductFunctionDecision, Productidea objects); and

based on at least a portion of the obtained information, the computer dynamically maintaining an information structure representative of the collaborative process so as to assist at least one of the first entity and the second entity in managing at least a portion of the collaborative process (col. 2, lines 39-46; col. 4, lines 28-32; Figure 2; The collaboration object model is an information structure.).

Matheson further teaches wherein the information structure comprises a pyramid structure (Figures 3-5 represent relational design structures, or pyramid structures, as many of the objects have one to many relationships.) and updating one or more check points associated with the information structure (check points are inherent to relational object models as certain objects cannot exist before other objects. For example, in Figure 4 a design issue is encapsulated by (and cannot exist before) a design representation. Col. 6, lines 11-19) but does not explicitly disclose the remaining limitations of claim 1. Project 2002, in the analogous art of collaborative process monitoring and tracking, teaches wherein the context pyramid structure provides a representation of the status of the collaborative process including one or more global and local tasks (Pyron, pg. 32–33, Fig. 15.1, displaying the hierarchy of tasks and subtasks, as well as the status of each task and subtask), and comprises results of a time offset calculation (*id.* Table 15.1, On Schedule indicator), a checkpoint calculation (*id.* Table 15.1, for example, Complete status indicator, however, all status indicators are arguably checkpoint calculations) and a potential energy level calculation (*id.*, Table 15.1, Late Status indicator) for the one or more global and local tasks involved in the collaborative process. It would have been obvious to one of ordinary skill in the art to modify Matheson to include the teaching of Project 2002 because the claimed invention is merely a combination of old elements, and in the combination each element

merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

6. As per claim 2, Matheson discloses the method of claim 1, further comprising the step of incorporating annotated business data into the information structure (col. 4, lines 28-52; A meeting plan object and conversation object include annotated business data as part of the collaboration object model.).

7. As per claim 3, Matheson discloses the method of claim 1, further comprising the step of incorporating annotated design data into the information structure (Figure 3 represents an annotated design for data of the collaborative object model.).

8. As per claim 4, Matheson discloses the method of claim 1, further comprising the step of controlling data flow associated with the at least one collaborative process based on the information structure (col. 5, lines 14-36; Figure 3 illustrates the data flow associated with a collaborative session.).

9. As per claim 5, Matheson discloses the method of claim 1, further comprising the step of fetching one or more design data features for at least one of monitoring and tracking the at least one collaborative process (col. 6, lines 43-59).

10. As per claim 6, Matheson discloses the method of claim 1, wherein the at least one collaborative process is a business process (col. 5, lines 14-36; A meeting is a business process.).

11. As per claim 7, Matheson discloses the method of claim 1, wherein the at least one collaborative process is an engineering design process (col. 5, lines 37-37-65; A meeting may include a discussion on product design requirements.).

12. As per claim 9, Matheson discloses the method of claim 1, wherein the information structure is multi-dimensional (Figures 3-5 represent relational design structures, or multi-dimensional structures, as many of the objects have one to many relationships.).

13. As per claim 10, Matheson discloses the method of claim 1, wherein the information structure is multi-resolution (Figures 3-5 represent relational design structures, or multi-resolution structures, as many of the objects have one to many relationships.).

14. As per claim 11, Matheson discloses the method of claim 1, wherein the obtained information comprises annotated data (Figure 3; The meeting discussion includes conversations from the meeting, which is annotated data.).

15. As per claim 12, Matheson discloses the method of claim 1, wherein the obtained information comprises user input (col. 6, lines 43-48; Information discussed during a

collaboration meeting includes data that is captured, modified and accessed by all meeting participants.).

16. As per claim 13, Matheson discloses the method of claim 1, wherein the step of maintaining the information structure further comprises updating one or more check points associated with the information structure (Check points are inherent to relational object models as certain objects cannot exist before other objects. For example, in Figure 4 a design issue is encapsulated by (and cannot exist before) a design representation. Col. 6, lines 11-19).

17. As per claim 15, Matheson discloses the method of claim 1, further comprising the step of analyzing at least one of the obtained information and the information structure (col. 7, lines 49-59; The decision tracking object model allows decision analysis to be performed using user supplied questions, answers and product design issues.).

18. As per claim 16, Matheson discloses the method of claim 15, further comprising the step of generating one or more action representations based on the analyzing step (items 290 and 280 in Figure 3; Action items and commitments are generated.).

19. As per claim 17, Matheson discloses the method of claim 16, wherein the analyzing step is rule-based (The analyzing step is rule-based in that object-oriented relational database design requires that certain objects exist before others. Figure 3 illustrates a rule showing that Actors (i.e., meeting participants) make Commitments and Commitments ensure ActionItems.).

20. Claims 18–19 represent corresponding apparatus and article of manufacture claims to the claims already rejected above. Therefore, claims 18–19 are rejected on the same basis as claims 1–13 and 15–17 above.

Response to Arguments

21. The applicant's arguments have been fully considered but are not persuasive. Applicant argues that Matheson does not teach a context pyramid structure, and that neither Matheson nor Pyron teach the collaborative process status limitations of claim 1. Applicant's Remarks, 11/28/08, pg. 8. The Examiner respectfully disagrees. A pyramid structure comprises merely a single entity connected to a plurality of entities, as is evident from Fig. 19A of Applicant's drawings. Figs. 3–5 and col. 4, line 60—col. 5, line 2 of Matheson at least demonstrate this one to many, single to plurality relationship. Regarding contextual nature of the pyramid, context is nothing more than the interrelated conditions in which something exists. As such, Matheson's pyramid structure teaches context via its illustration and embodiment of a plurality of meeting-related objects, which are each connected in some way, as illustrated by lines in the aforementioned figures, representing an association with each other, an inter-relationship. Furthermore, Microsoft Project 2002 has been added to the rejection to account for the process status limitations including one or more global or local tasks, time offset calculation, checkpoint calculation, and potential energy calculation (*see* discussion *supra* ¶ 5). Project meets these limitations for the following reasons: (1) Figure 15.1 and the associate discussion pertain to the status of collaborative tasks within a project which is collaborative; (2) the cited aspects of Fig. 15.1 reflect various calculations in that some calculation must have been made by the system in order to generate the current status determination and display it as such; and (3) Applicant's specification refers to the term 'potential energy calculation' as one that reveals frustration or urgency in the process (Applicant's specification, 10/31/03, pg. 3, lines 9–10; pg. 15, line 20–22). Interpreting the claim in light of the specification, it is the Examiner's position that the late

indicator on Fig. 15.1 of Project derives from a calculation by the system revealing that the progress of a task has missed a deadline and is late or overdue. This indication imparts a sense of urgency on the task doers to complete the task as soon as possible and thus meets Applicant's potential energy limitation, at least as currently claimed. Moreover, the final two paragraphs of Applicant's remarks on page 8 recite portions of the specification directed towards its potential energy calculation limitation in support of Applicant's own, much narrower interpretation of the term at issue. In response, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Examiner has interpreted the claim in light of the specification as discussed above, but has not, nor is he required to, import limitations from the specification directly into the claims. Therefore, Examiner's stance as to the term 'potential energy calculation' is deemed to be within the scope of broadest reasonable interpretation and the rejection under 35 U.S.C. 103 is thus maintained as proper.

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUSTIN M. PATS whose telephone number is (571)270-1363. The examiner can normally be reached on Monday through Friday, 8:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Justin M Pats/
Examiner, Art Unit 3623
/Jonathan G. Sterrett/
Primary Examiner, Art Unit 3623